



Road Traffic Act 1988

1988 CHAPTER 52

PART III

LICENSING OF DRIVERS OF VEHICLES

Granting of licences, their form and duration

PROSPECTIVE

[^{F1}98A Compulsory surrender of old-form licences

- (1) The Secretary of State may by order require the holders of licences of a specified description, or any specified description of the holders of such licences, to surrender the licences [^{F2}and their counterparts] to the Secretary of State.
- (2) An order under this section may specify as the description of licences to be surrendered—
 - (a) licences which are not in the form of a photocard, or
 - (b) licences in the form of a photocard of a description no longer specified by the Secretary of State as a form in which licences are granted.
- (3) An order under this section must specify the date by which the licences to which it relates [^{F3}(and their counterparts)] are to be surrendered; and may specify different dates in relation to different descriptions of licence holders.
- (4) An order under this section must include provision for the grant of a new licence to every holder of a licence surrendered [^{F4}(with its counterpart)] in pursuance of the order who—
 - (a) pays such fee (if any) as is specified by the order, ^{F5}...
 - (b) provides the Secretary of State with such evidence or further evidence as the Secretary of State may require (which may include a photograph which is a current likeness of him). [^{F6} and

Status: Point in time view as at 31/12/1992. This version of this provision is prospective.

Changes to legislation: Road Traffic Act 1988, Section 98A is up to date with all changes known to be in force on or before 04 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (c) provides such evidence or further evidence as the Secretary of State may require for the purpose of satisfying the Secretary of State that the holder is not suffering from a relevant or prospective disability.]
- (5) A replacement licence granted pursuant to provision made by virtue of subsection (4) above expires on the date on which the surrendered licence would have expired had it not been surrendered (but subject to subsection (6) below).
- (6) Where the period for which the surrendered licence was granted was based on an error with respect to the licence holder's date of birth such that (if the error had not been made) that licence would have been expressed to expire on a different date, the replacement licence expires on that different date.
- (7) A person who, without reasonable excuse, fails to comply with any requirement to surrender a licence [^{F7}and its counterpart] imposed by an order under this section is guilty of an offence.
- (8) An order under this section may—
- (a) make different provision for different cases, and
 - (b) contain such incidental and supplementary provisions as the Secretary of State considers appropriate.
- (9) The power to make an order under this section is exercisable by statutory instrument.
- (10) Before making an order under this section the Secretary of State must consult with such representative organisations as he thinks fit.
- (11) A statutory instrument containing an order under this section is subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F1** S. 98A inserted (prosp.) by [Road Safety Act 2006 \(c. 49\)](#), **ss. 39(1)**, 61
- F2** Words in s. 98A(1) repealed (prosp.) by [Road Safety Act 2006 \(c. 49\)](#), **ss. 10(12)**, 59, 61, [Sch. 3 para. 8\(2\)](#), **Sch. 7(4)**
- F3** Words in s. 98A(3) repealed (prosp.) by [Road Safety Act 2006 \(c. 49\)](#), **ss. 10(12)**, 59, 61, [Sch. 3 para. 8\(3\)](#), **Sch. 7(4)**
- F4** Words in s. 98A(4) repealed (prosp.) by [Road Safety Act 2006 \(c. 49\)](#), **ss. 10(12)**, 59, 61, [Sch. 3 para. 8\(4\)](#), **Sch. 7(4)**
- F5** Word in s. 98A(4) omitted by [Road Safety Act 2006 \(c. 49\)](#), s. 39(1) (as amended) (20.4.2012) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), **reg. 1(2)**, **Sch. 2 para. 2(2)(a)**
- F6** S. 98A(4)(c) and word inserted by [Road Safety Act 2006 \(c. 49\)](#), s. 39(1) (as amended) (20.4.2012) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), **reg. 1(2)**, **Sch. 2 para. 2(2)(b)**
- F7** Words in s. 98A(7) repealed (prosp.) by [Road Safety Act 2006 \(c. 49\)](#), **ss. 10(12)**, 59, 61, [Sch. 3 para. 8\(5\)](#), **Sch. 7(4)**

Status:

Point in time view as at 31/12/1992. This version of this provision is prospective.

Changes to legislation:

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